

REMARKS:

Claims 1 and 3-12 are in the case and presented for reconsideration.

Claims 1 and 3-11 were rejected under 35 U.S.C. 112, first paragraph. As explained in more detail in the Office Action dated May 21, 2004, the claims were rejected for failing to comply with the written description requirement. Claims 1 and 9-11 recite "at least one thin film dielectric of a thickness in the range of about 0.25 - 0.75 mm." The examiner correctly interpreted the thickness range in micrometers (μm), as disclosed in the specification. Applicants thank the examiner for pointing out this unintentional clerical error. Claims 1 and 9-11 have been drafted to avoid the examiner's objections and are believed to be in proper form. Claims 1 and 9-11 have been changed only to correct a clerical error, and for no other reason relating to patentability.

Claims 1, 6, and 9-12 were rejected under 35 U.S.C. 102(b) as being anticipated by Konushi et al. (hereinafter JP 10-335179).

The Office has indicated in the Advisory Action of July 19, 2004, that a limitation such as $\text{Ba}_{1-x}\text{Sr}_x\text{TiO}_3$ ($0 \leq x < 1$) would overcome the rejection of record. Applicants have rewritten claim 1 to include the limitation $\text{Ba}_{1-x}\text{Sr}_x\text{TiO}_3$ ($0 \leq x < 1$). Accordingly, claim 6 is also believed to overcome the rejection.

In the Advisory Action of July 19, 2004, the Office has addressed the rejection of claims 9-12, indicating that $\text{Ba}_{1-x}\text{Sr}_x\text{TiO}_3$ is not claimed. In the Office Action of May 21, 2004, the Office also indicated that voltage-controlled oscillator, filter and delay line, respectively, were not given patentable weight, since the terms were only used in the preamble. Applicants have rewritten claims 9-11 to clarify that the claimed capacitive component is mounted with components of the voltage-controlled oscillator, filter and delay line, respectively. The limitation that the capacitive component is mounted with other

components of a voltage-controlled oscillator, filter and delay line is a structural limitation which should be given patentable weight. The limitation is supported by the specification in the first paragraph on page 4 (see paragraph 37 of published patent application US 2002/0135970 A1). The cited prior art fails to teach the claimed combination of a capacitive component and components of a voltage-controlled oscillator, filter and delay line. Accordingly, claims 9-11 are believed to be patentable.

Claim 12 has been rewritten to clarify that the claimed capacitive ceramic is mounted with other components having a tunable capacitance. The cited prior art fails to teach such a combination. Thus, claim 12 is also believed to be patentable.

Claims 1, 3-5 and 8 were rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,104,597 to Konushi et al. Konushi '597 discloses substantially the same invention as its foreign counterpart JP 10-335179 cited above.

The Office has rejected claim 1 for the same reasons as described with respect to JP 10-335179. Thus, the rejection of record is overcome for the same reasons as stated above with respect to the JP 10-335179 rejection. Accordingly, the rejections concerning dependent claims 3-5 and 8 are overcome, as well.

Claim 7 was rejected under 35 U.S.C. 103(a) as being obvious from Konushi '597 in view of Klee '027.

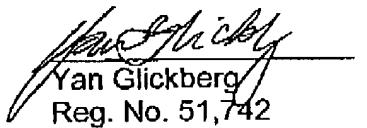
As explained above, claim 1 now recites at least one limitation not taught or suggested by Konushi '597. Since claim 7 depends from claim 1 and, therefore, incorporates the same limitations, claim 7 is believed to also recite at least one limitation not taught or suggested by the prior art. Thus, claim 7 is believed to be patentable, as well.

Accordingly, the application and claims are believed to be in condition for allowance, and favorable action is respectfully requested. No new matter has been added.

If any issues remain which may be resolved by telephonic communication, the examiner is respectfully invited to contact the undersigned at the number below, if such will advance the application to allowance.

Favorable action is respectfully requested.

Respectfully submitted,



Yan Glickberg
Reg. No. 51,742
Attorney for Applicants
Phone: (845) 359-7700

Dated: October 14, 2004

NOTARO & MICHALOS P.C.
100 Dutch Hill Road
Suite 110
Orangeburg, New York 10962-2100

Customer No. 21706

YG:yae:ael